

ATTORNEY DOCKET NO. 11775ROUS01U (NORT10-00376)

U.S. SERIAL NO. 09/746,103

PATENT

REMARKS

Claims 1-27 are pending in the application.

Claims 1-27 have been rejected.

Claims 1-3, 13, 15, 16, 24 and 27 have been amended, as set forth herein.

I. REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2, 4-6, 9-19, 21-24 and 27 were rejected under 35 U.S.C. § 102(e) as being anticipated by White et al. (US 6,069,890). The rejection is respectfully traversed.

A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

In rejecting independent Claims 1, 24 and 27, the Office Action asserts that White shows "receiving a routing policy response, the response comprising at least one access code (i.e., routing parameter)" citing Col. 9, lines 11-27. Office Action of April 22, 2004, page 3, first paragraph. The Office Action makes a similar assertion in rejecting independent Claim 13. The Applicant respectfully asserts that the Office Action mischaracterizes the teaching of the White reference. For ease of reference, the cited passage is reproduced as follows:

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At 126 the telephone 100 goes off hook, receives dial tone from end office 105, and dials the Internet call prefix *82 followed by the telephone number of the called station. In this example, it will be assumed that the dialed telephone number is 1-415-555-1212. At 128 the end office switch 105 recognizes the prefix *82 as the Internet call prefix and may connect the call through end office 107 to the gateway router 104. The telephone number digits 1-415-555-1212 are delivered to the gateway router. This is indicated at 130. At 132 the gateway router forwards the digits 1-415-555 to the Internet address database 112. At 134 the database recognizes the national long distance prefix 1 and directs the database inquiry to that section containing national area codes and exchange numbers. If an international prefix or access code were to be used the search would be directed to the appropriate section of the database for international numbers. As previously stated, the database 112 may comprise a single database or preferably a distributed database in the manner of the well-known DNS database system.

At 136 the database conducts its search, locates the corresponding IP address. At 138 the IP address is delivered to the gateway router 104.

Col. 9, lines 11-27. (emphasis added).

The cited passage describes actions the Internet address database 112 takes in response to the receipt of phone number digits from gateway router 104. One section of the database is searched if the received digits begin with the national long distance prefix "1". If the received digits begin with an international prefix or access code, then another section is searched. Once the search is completed, the database responds to the gateway router with an IP address that corresponds to the received phone number digits.

Thus, White teaches that the access code is an element of the search query sent to the database, rather than an element of the response received from the database. The access code does not show receiving a routing policy response comprising at least one routing parameter, because it is not received in response to the query to the database. In order to clarify and more distinctly point

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out Applicant's invention, Claims 1, 13, 24 and 27 have been amended to recite that the routing parameter in the routing policy response comprises a call server id and route id. White does not teach such a routing parameter and, therefore, fails to disclose each and every element of Applicant's claimed invention, as set forth in independent Claims 1, 24 and 27.

Accordingly, the Applicant respectfully requests the Examiner withdraw the § 102(e) rejection of Claims 1, 2, 4-6, 9-19, 21-24 and 27.

II. REJECTION UNDER 35 U.S.C. § 103

Claims 3 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over White in view of Friedes et al. (US 5,311,572). Claims 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over White in view of Lehmacher et al. (US 6,343,123). Claims 8 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over White in view of Gudjonsson et al. (US 6,564,261). Claims 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Friedes in view of White. These rejections are respectfully traversed.

Claims 3, 7, 8, 16, 17 and 20 depend, directly or indirectly, from independent Claims 1 and 13 and include the limitations of their respective base claims. As set forth above in response to the 102 rejection, White fails to disclose one or more elements/features recited in Applicant's independent Claims 1 and 13. Neither Friedes, Lehmacher nor Gudjonsson appears to disclose, teach or suggest these elements/features. Therefore, none of the cited references, either alone or in

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combination, disclose, teach or suggest Applicant's invention as recited in Claims 3, 7, 8, 16, 17 and 20.

With regard to independent Claim 25, the Office Action asserts that Friedes teaches "receiving a call request for a telephony call, the call request comprising alias information for the telephony call". See Office Action, page 6, first paragraph, citing Friedes, Col. 4, lines 4-15, and Col. 6, lines 30-61. The cited passage in Column 6 does not describe the nature of the call request handled by the Friedes system. However, in Column 4, Friedes describes that "selection of a route for a call is initiated when the carrier's database forwards caller's originating information which includes the dialed number and the ANI or Billing Number (BN) of the caller to the subscriber's database." Col. 4, lines 9-13.

Thus, Friedes describes a system that responds to a call request including the phone number dialed by the caller and the phone number of the caller. As such, Friedes does not describe a system that receives a call request comprising alias information. Likewise, White teaches a system that sets up a telephone call solely based upon the number dialed by the caller. Therefore, neither of the cited references, either alone or in combination, disclose, teach or suggest Applicant's invention as recited in independent Claim 25, or Claim 26 dependent thereon.

Accordingly, the Applicant respectfully requests withdrawal of the § 103 rejection of Claims 3, 7, 8, 16, 17, 20, 25 and 26.

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III. CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

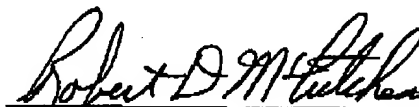
If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at rmccutcheon@davismunck.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

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